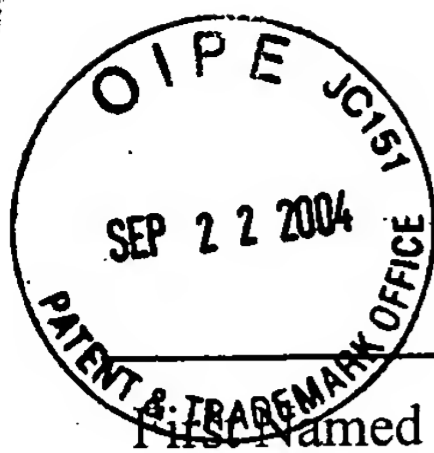


9/23/04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : Mark S. Grendahl

Appln. No. : 10/685,741

Filed : October 15, 2003

Title : ANCHOR BOLT LOCATING JIG

Docket No. : G353.12-0009

Group Art Unit: 3635

Examiner: Amiri, Nahid

RESPONSE

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SENT VIA EXPRESS MAIL

Express Mail No.: EV 302261832 US

Sir:

This is in response to the Office Action mailed on August 26, 2004. In that Office Action, claims 1-6 and 12 were rejected for obviousness-type double patenting of claims 1, 7 and 12 of U.S. Patent No. 6,666,441; claims 7-11 were objected to as being dependent upon a rejected base claim; and claims 18-21 were withdrawn from further consideration.

In the Office Action, the Examiner indicated that the obviousness-type double patenting rejection for claims 1-6 and 12 would be overcome if a Terminal Disclaimer were filed. Thus, applicant elects to file a Terminal Disclaimer under 37 C.F.R. 1.321(b), filed along with this response, with regard to claims 1, 7, and 12 of U.S. Patent No. 6,666,441. As such, pending claims 1-6 and 12 are in condition for allowance. Notice to that effect is respectfully requested.

The Examiner indicated that claims 7-11, which were objected to as being dependent upon a rejected base claim, would be allowable if rewritten to include all of the limitations of the rejected base claim and any intervening claims. Claim 1 is the only rejected claim from which claims 7-11 depend. Since claim 1 is now in condition for allowance, claims 7-11 are also in condition for allowance. Notice to that effect is respectfully requested.

Applicant confirms the election of claims 1-17 in response to a restriction requirement imposed between claims 1-17 and claims 18-21. With the filing of the Terminal Disclaimer, all of

First Named Inventor: Mark S. Grendahl

Application No.: 10/685,741

-2-

pending claims 1-17 are now in condition for allowance. Reconsideration and notice of that affect is respectfully requested. The Examiner is authorized to charge any additional fees associated with this application or credit any overpayment to Deposit Account No. 11-0982. The Examiner is invited to contact the undersigned at the telephone number listed below if such a call would in any way facilitate allowance of this application.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: 9/22/04

By: 

David R. Fairbairn, Reg. No. 26, 047

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